

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **CV 16-3621-DMG (FFMx)**

Date **October 10, 2017**

Title ***Signature Financial, LLC v. John McClung***

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Present: The Honorable **DOLLY M. GEE, UNITED STATES DISTRICT JUDGE**

**KANE TIEN**

Deputy Clerk

**NOT REPORTED**

Court Reporter

Attorneys Present for Plaintiff(s)

None Present

Attorneys Present for Defendant(s)

None Present

**Proceedings: IN CHAMBERS - ORDER TO SHOW CAUSE WHY THIRD-PARTY  
COMPLAINT SHOULD NOT BE DISMISSED**

On October 6, 2017, this Court granted Plaintiff's motion for summary judgment, which resolved the sole claim for breach of contract, Defendant's counterclaim for mistake of fact, and Defendant's affirmative defenses. That motion did not resolve the third-party action. *See* Doc. ## 49, 55, 67.

The Court orders Defendant/Third-Party Plaintiff to show cause, in writing and by **no later than October 13, 2017**, why the third-party action should not be dismissed under Federal Rule of Procedure 4(m) for failure to prosecute. If a satisfactory response is not filed by that date, the Court will dismiss the third-party complaint.

**IT IS SO ORDERED.**